

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, and 9-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirata et al.

With respect to claims 1 and 7, Hirata et al disclose a method for reducing the content of contaminating metals in ionic form present in aqueous effluents (e.g., palladium wastewater, see line 16 of col. 7), the method including the steps of providing an aqueous effluent including at least a metal in ionic form (e.g., palladium), placing the aqueous effluent in contact with at least a metal (e.g., nickel, see lines 7-10 of col. 7) that is obviously completely or partially coated with hydrogen during the treatment of the metal ion(s) (e.g., when placed in contact with the water containing the metal contaminants as disclosed on lines 16-27 of col. 7), the metal ions being chemisorbed onto the metal (e.g., since the metal is laminated and grows to form a metal coating film on the treating agent, see lines 22-27 of col. 6); and b) recovering the aqueous effluent (e.g., via the extraction column mentioned on line 18 of col. 7).

As to claims 2-6, Hirata et al disclose nickel (see line 65 of col. 6).

Regarding claims 9-11, Hirata et al disclose gold (see line 16 of col. 2).

Concerning claim 12, Hirata et al disclose nickel (see lines 19-23 of col. 7).

Regarding claim 13, Hirata et al disclose a support (e.g., activated carbon, see lines 38 and 39 of col. 6).

As to claims 14 and 18, Hirata et al disclose a range of 10-70 degrees C which falls within the claimed ranges.

Concerning claim 15, Hirata et al disclose a pH value of 7.9 that falls within applicants claimed range of 1-14.

Regarding claim 16, Hirata et al disclose plating wastewater (see line 17 of col. 2).

Applicant's arguments filed 10-6-09 have been fully considered but they are not persuasive.

Applicant argues that Hirata et al fail to disclose metal ions that are chemisorbed onto another metal as recited in instant claim 1, however, it is held Hirata et al discloses metal ions that are chemisorbed onto another metal since the disclosed process involves reducing metal ions and chemisorbing/metallically bonding the reduced metal ions in the form of a metal film onto a treating agent that contains a metal (see lines 22-27 of col. 6).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew O. Savage whose telephone number is (571) 272-1146. The examiner can normally be reached on Monday-Friday, 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Art Unit 1797

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